



March 25, 2025

Donna Brown  
Clerk of the Prince George's County Council  
1301 McCormick Drive  
Largo, Maryland 20774

Item: Request to Reschedule the Oral Arguments Hearing for DSP-22001 McDonald's on Ager Road

Dear Ms. Brown,

For the reasons below, we respectfully request that the Planning Board postpone its scheduled April 1 hearing of Detailed Site Plan 22001 (DSP-22001) and to a date prior to April 25, 2025 so that Council Member Wanika Fisher is able to participate. She represents District 2, which covers this proposed development. Her participation is paramount.

We are all Persons of Record who oppose McDonald's on Ager Detailed Site Plan 22001 and who have participated entirely as volunteers in the Planning Board's review process. We believe that postponing rescheduling the hearing is necessary to resolve issues regarding the content and accessibility of the record posted on the Council's LZIS DSP-22001 web page, to protect the integrity of the Council's process, and to ensure that the affected public's right and ability to present informed comments is not prejudiced or undermined.

### **Relevant Facts**

On or about March 14, 2024, we learned that two massive new files named "DSP 22001 Planning Board Record – Part 1" and "DSP 22001 Planning Board Record – Part 2" had been posted to the Council's web page for DSP 22001. In an email to Melissa Schweisguth on March 21, you confirmed that "Public access to the Planning Board's record on our website was provided on March 13." This was well after the deadline for the Planning Board to transmit all relevant materials to the Clerk of the Council, and well after the date or dates that other case materials had been posted to the Council's web page for this case. Those materials included the Planning Board hearing transcripts, the Technical Staff Report, the Planning Board resolution, the notice of oral arguments, and the agenda item summary. This was also less than two weeks before the deadline for submitting written comments to the Council.

Those two massive files comprise more than 4300 pages and nearly 1300 megabytes (MB). Planning Board Record – Part 1 comprises 2105 pages and roughly 595 MB. Planning Board Record – Part 2 comprises 2205 pages and roughly 700 MB. Together, they contain hundreds of documents, many of which were generated by the applicant team or by agency staff. It is unclear which of those documents are not contained in the file named "Technical Staff Report" that is posted to Council's DSP- 22001 web page. That file itself is misnamed because it comprises

more than 300 pages, which is far more than the 16-page Technical Staff Report dated September 12, 2024, and any subsequent technical staff memoranda or addenda. It is also unclear whether the Planning Board made all of the documents contained in these two files available to the general public or to all Persons of Record prior to hearing and voting on DSP-22001 in January 2025.

Between the evenings of March 14 and March 17, several of us attempted to download those files but were unable to do so using conventional methods, regardless of which browser we were using. We attempted to access and download the files using Firefox, Google Chrome, and Microsoft Edge. On the Council's LZIS listing for DSP-22001, when we clicked on the hyperlinks embedded in the names of those two files, the Council's system landed us on Adobe Acrobat web pages rather than presenting, as usual, easily downloadable copies of these files. The PDF files presented on those loaded very slowly and the files did not download at all. Only two of us were able to save it locally by printing as a PDF (Mac using Chrome) or by opening the file in a paid desktop installation of Adobe Acrobat, functions which did not work for, or were not available to, others. All of us are reasonably tech-savvy and accustomed to web-based research. We are all using high-speed connections, tested multiple browsers and computers, and we all had waited reasonably long times for downloads of those files to commence, so it is reasonable to believe that those files were essentially inaccessible for many or most users.

In contrast, all of the other files posted on the Council's web page were apparently presented on a platform other than Adobe Acrobat online, and they loaded and downloaded quickly and easily.

Two of us – Greg Smith and Melissa Schweisguth – reported these problems to your office via email. On the afternoon of March 18, your office responded via email, suggesting we simply had not waited long enough for the files to download and providing links to the files. But this was not a simple matter of us not being patient enough. As noted above, all of us are reasonably tech-savvy, accustomed to web-based research, and using high-speed connections, and we all had waited reasonably long times for downloads of those files to commence. Clicking on “download” simply did not initiate a download. When we clicked on the links again on March 18, the system still landed us on Adobe Acrobat pages. But the files on those pages opened more quickly, had been cleared of previously visible comments and downloaded, and as we note below, they apparently had been modified on the morning of March 18.

As such, these files became readily available just one week before the March 25 deadline for written comments and less than two weeks before the April 1 public hearing.

**Information presented in the Document Properties fields of these files indicate that:**

- The versions of DSP-22001 Planning Board Record – Part 1 and DSP- 22001 Planning Board Record – Part 2 linked to through the Council's website prior to March 18, and the versions available on and after March 18, were authored by Jessica Spina. On Bohler Engineering's website, Ms. Spina is identified as the company's Chief Strategy Officer.

See: <https://bohlerengineering.com/blog/news/bohler-appoints-two-new-executive-leaders/>

- The version of DSP-22001 Planning Board Record – Part 1 available on the Council’s web site prior to March 18 was authored by Ms. Spina and created on March 5.

Screenshots taken during unsuccessful attempts to download DSP-22001 Planning Board Record – Part 1 on March 14, 15 and 17 show entries made in the Comments field at least as late as March 13.

- The version of DSP-22001 Planning Board Record – Part 1 available on and after March 18 was authored by Ms. Spina, created on March 5, and last modified at 9:59 am on March 18, 2025. That file was downloaded on March 18.
- The version of DSP-22001 Planning Board Record – Part 2 available on and after March 18 was authored by Ms. Spina, created on March 5, 2025, and last modified at 10:06 am on March 18, 2025. That file was downloaded March 18.

Many Bookmarks in these two files do not work at all or work only intermittently. That is, when a reader either clicks on a Bookmark or attempts to use “Go to Bookmark”, they do not take a reader to a page in the file.

### **Questions to be Answered**

We would appreciate answers to the following questions as soon as possible:

1. Who created these files, and when?
2. Who transmitted these files to the Clerk of the County Council, and when?
3. The names of these files would lead any reader to believe that they represent the official record of, or part of, the Planning Board. Are they? If so, why is the listed author an employee of Bohler Engineering, which is a contractor or agent of the Applicant?
4. When were these files first posted to Council’s L website?
5. Who modified these files on March 18, in what ways, and for what reasons?

### **Conclusion**

The impediments outlined above have undermined public access to essential parts of the record and have undermined Persons of Record's right and ability to provide the Council with informed comments.

As always, thank you for your time and consideration. Please ensure this letter is included in the public record for DSP-22001.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Smith', with a long horizontal flourish extending to the right.

Greg Smith  
4204 Farragut Street  
Hyattsville, Maryland 20781  
gpsmith@igc.org  
(240) 605-9238

Lisa Entzminger  
7213 16th Ave  
Takoma Park, MD 20912  
lisa@carolehighlands.org  
(513) 535-1214

Alexi Sanchez de Boado  
3110 Lancer DR  
Hyattsville MD 20782  
(301) 559-2982

Jeff Cronin  
7217 15th Avenue  
Takoma Park, MD 20912  
(202) 421-8911

Melissa Schweisguth  
5020 38th Ave  
Hyattsville, MD 20782

Daniel Broder  
3929 Madison Street  
Hyattsville, MD 20781  
dnbroder@gmail.com  
(202) 491-1877

From: Lisa Entzminger <lisa.a.entzminger@gmail.com>  
Date: Tue, 25 Mar 2025 19:06:58 -0400  
Subject: DSP 22001 - Please sign me onto the request to reschedule the hearing Oral Arguments on DSP 22001  
To: Gp Smith <gpsmith@igc.org>

Greg,  
Please sign me onto the request to reschedule the hearing Oral Arguments on DSP 22001.  
Thanks!

Lisa Entzminger  
[lisa.a.entzminger@gmail.com](mailto:lisa.a.entzminger@gmail.com)  
cell: 513.535.1214

From: Daniel Broder <dnbroder@gmail.com>  
Date: Tue, 25 Mar 2025 21:10:03 -0400  
Subject: Re: DSP 22001 - URGENT - Request to Reschedule Oral Arguments - Please review and sign on  
To: Greg Smith <gpsmith@igc.org>  
Cc: mcnoWayCoreGroup@groups.io

Greg, please sign me onto the request to reschedule the hearing Oral Arguments on DSP 22001.

Dan Broder

Date: Tue, 25 Mar 2025 23:04:01 +0000 (UTC)  
From: "Alexi Boado via groups.io" <apboado@yahoo.com@groups.io>  
To: "mcnowaycoregroup@groups.io" <mcnowaycoregroup@groups.io>  
Subject: Re: [McNoWayCoreGroup] DSP 22001 - URGENT - Request to Reschedule Oral Arguments - Please review and sign on

Greg, please sign me onto the request to reschedule the hearing Oral Arguments on DSP 22001.

I edited it and added my name.











All tools | Edit | Convert | E-Sign



**M-NCPPC – Development**  
Prince George's County Planning Board

**DO NOT WRITE IN THIS SPACE**

Application No.(s): \_\_\_\_\_  
Acceptance Date: \_\_\_\_\_  
Posting Waived ☐ Posting Date: \_\_\_\_\_  
Application Fee: \_\_\_\_\_  
Subdivision Development Review: \_\_\_\_\_  
Referral Mail-Out Date: \_\_\_\_\_  
Date of Informational Mailing: \_\_\_\_\_

APPLICATION TYPE: DDS ☐ ☐

Payment option: ☐ Check (payable to M-NCPPC)

**PROJECT NAME:** Ager Road

Complete address (if applicable): \_\_\_\_\_  
Geographic Location (distance and direction from intersection): \_\_\_\_\_  
NW Quadrant of intersection: \_\_\_\_\_

Total Acreage: 4.16 ac.

Tax Map/Grid: 41/Grid D-1

WSSC Grid: 208NE02

Planning Area: 65

(2002) General Plan Tier: ☒ Development ☐ Other

DSP-22001-Planning Board Record - Part 1.pdf

Description

Advanced

Description

Document Title: \_\_\_\_\_

Author: Jessica Spina

Author Title: \_\_\_\_\_

Description: \_\_\_\_\_

Description Writer: \_\_\_\_\_

Keywords: \_\_\_\_\_

Commas can be used to separate keywords

Copyright Status: Unknown

Copyright Notice: \_\_\_\_\_

Copyright Info URL: \_\_\_\_\_

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Created: 3/5/2025 12:13:36 PM  
Modified: 3/18/2025 9:55:19 AM  
Application: Adobe Acrobat Pro (64-bit) 24.5.20421  
Format: application/pdf

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DSP-22001-Planning Board Record - Part 2.pdf

Description

Advanced

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Document Title:

Author: Jessica Spina

Author Title:

Description:

Description Writer:

Keywords:

Commas can be used to separate keywords

Copyright Status: Unknown

Copyright Notice:

Copyright Info URL:

Go To URL...

Created: 3/5/2025 12:13:36 PM

Modified: 3/18/2025 10:06:40 AM

Application: Adobe Acrobat Pro (64-bit) 24.5.20421

Format: application/pdf

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LEMENTAL AGENDA ITEM: 10 & 11

DA DATE: 10/3/2024

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r Road